

IMPLEMENTATION AND MONITORING PROGRAM

LANCASTER LANDFILL AND RECYCLING CENTER Attachment to the Conditions of Grant for Conditional Use Permit Number 03-170-(5)

PURPOSE. This Implementation and Monitoring Program ("IMP") is intended to implement and ensure compliance with the Conditions of Approval of this grant and to complement the enforcement and monitoring programs routinely administered by County agencies and non-county public agencies.

PART I - LANDFILL ELEVATIONS. The following measures shall be carried out to monitor compliance with Conditions Nos. 5, 6, 14, 27, 28, 30, 39, 40, 41, 42, 46, and 64 of this grant, which establish the Limits of Fill.

- A. Within 180 days of the Effective Date of this grant, the Permittee shall install survey monuments around the perimeter of the Landfill, as depicted on Exhibit "A" and as established by the limits of Condition No. 6.

The specific spacing, location, and characteristics of the survey monuments shall be as specified by the Director of Public Works and shall be at points where they will not be subject to disturbance of Landfill development.

The survey monuments shall be inspected and approved by the Director of Public Works after installation, and the "as installed" plan shall be provided to DPH and to the Director of the Department.

Not less than 60 nor more than 180 days before the deadline for the annual monitoring report required by Part X of this IMP, the Permittee shall cause a licensed surveyor or registered civil engineer to conduct a survey of the Landfill's elevations and submit the results to the Director of Public Works for approval. Additional elevation surveys shall also be conducted by either of these professionals under the following circumstances: 1) in the event of an earthquake of magnitude (Richter) 5.0 or greater within 25 miles of the Facility; 2) as directed by the Director of Public Works or the DPH as he or she deems necessary; or 3) upon completion of the Landfill's final fill design. Any apparent violation revealed by the survey shall be promptly reported to the Director of the Department.

- B. If the Director of Public Works approves grading or other disturbance in areas outside the Limits of Fill shown on Exhibit "A" pursuant to Condition No. 39 of this grant, the Director shall refer a copy of such approval to the Director of the Department and the DPH.

PART II – WASTE PLAN CONFORMANCE. The provisions of this Part II are intended to ensure compliance with the provisions of Condition Nos. 30, 31, 32, 33, 34, and 35 of this grant, and to conform Landfill operations with the Los Angeles County Countywide Integrated Waste Management Plan adopted pursuant to Division 30 of the Public Resources Code.

- A. The Permittee shall ensure the proper installation and maintenance of scales to verify the weight of Solid Waste received, disposed of, used for Beneficial Use Materials at the Facility, and/or otherwise diverted and sent off-site for further handling and/or processing. The Permittee shall maintain records necessary to document the following: (1) the aforementioned weights; and (2) compliance with waste restrictions imposed pursuant to the conditions of this grant.

PART III – WASTE ORIGIN DATA ACCURACY. The provisions of this Part III are intended to ensure compliance with the provisions of Condition 31 of this grant. The Permittee shall adopt measures at the Facility to ensure the accuracy of the Solid Waste quantity allocated to County unincorporated areas. These measures shall apply to those customers of the Permittee who identify the source or origin of all or a portion of their waste loads as County unincorporated area, and shall become effective within 90 days after the Effective Date. Under these measures:

- A. The Permittee shall require written and verifiable documentation on source jurisdiction(s) and site address(es) where the Solid Waste is generated for loads from waste hauling industry customers ("Direct Haul Loads"), and written and verifiable documentation on source jurisdiction(s) for loads from transfer/processing facilities ("Transfer/Processing Loads"), the documentation of which shall be in a form developed by the Department of Public Works and distributed by the Permittee to its customers;
- B. The Permittee shall exempt from such documentation all customers tendering a minimum load, defined as a load having a net weight of less than 1 ton. However, such customers shall continue to verbally state the source of their loads;
- C. The Permittee shall investigate and verify the accuracy of all documentation provided for Direct Haul Loads from Solid Waste enterprises/waste haulers owned or operated by the Permittee, its subsidiaries, or affiliated enterprises;
- D. The Permittee shall forward all documentation for Transfer/Processing Loads to the Department of Public Works for review and verification;
- E. Upon request, the Permittee shall forward all documentation within 30 days for Direct Haul Loads from Solid Waste enterprises/waste haulers owned or operated by the Permittee, its subsidiaries, or

affiliated enterprises, to the Department of Public Works for review and verification;

- F. If the Director of Public Works determines a Solid Waste enterprise, waste hauler, or transfer/processing operator that is owned or operated by the Permittee, its subsidiaries, or affiliated enterprises has failed to substantiate the origin of the Solid Waste that was reported to have originated in County unincorporated area, the Director shall notify and direct the Permittee to impose a non-refundable penalty of \$5.00 per ton. The penalty shall be based on all Solid Waste tonnage allocated to the County unincorporated area by the Solid Waste enterprise, waste hauler, or transfer/processing operator for that reporting period, which shall not exceed 1 month. The Permittee shall be responsible for collecting the fine and submitting it to the Department of Public Works within 60 days following such notification. The fines received by the Department of Public Works shall offset the cost of administering the waste origin verification program and of implementing other programs to mitigate the damages the County incurred under the California Integrated Waste Management Act of 1989, as amended, from such misallocation;
- G. If the Permittee or the Director of Public Works determines that the origin of a waste load has been incorrectly reported, the Permittee shall correct the data submitted to the disposal reporting system to ensure its accuracy.

Prior to the implementation of the above measures, the Permittee shall, subject to the approval of the Director of Public Works, develop a waste origin verification and reporting program to include, but not be limited to, an outreach program to educate all customers of the Facility regarding the need to provide waste origin information, the requirements of the measures adopted pursuant to this Part III, and an explanation of the consequences for failure to comply with the measures. After the effective date of the adopted measures, the Permittee shall provide a 90-day grace period to its customers prior to taking any enforcement action to provide time for customer education on these measures. Based on the initial results obtained from the verification and reporting program, these measures may be amended or modified by the Director of Public Works. The Director of Public Works shall have the discretion to terminate the verification and reporting program at any time.

On a monthly basis, the Permittee shall submit the results of the verification and reporting program to the Director of Public Works, along with any other written documentation on the waste load transactions at the Facility.

PART IV – HAZARDOUS WASTE EXCLUSION. This Part IV ensures compliance with Condition No. 36, 37, and 38 of this grant regarding the exclusion of liquid, radioactive and hazardous waste from the Facility.

The Permittee shall maintain a comprehensive waste load checking program which shall require that:

- A. All waste hauling vehicles shall be screened at the scales with a radiation detector device, acceptable to the DPH, for the presence of radioactive materials;
- B. Sensors and/or monitoring equipment capable of detecting volatile organic compounds acceptable to the DPH shall be available at the Facility and used as directed by the DPH;
- C. The scale operator shall question all drivers of suspect loads as to the source and nature of the loads, and shall inspect for contamination all large loads of earth brought into the Facility from areas not known to be free of contamination;
- D. The Landfill's Working Face areas shall be continuously inspected for hazardous and liquid waste, medical waste, and radioactive waste/materials. This inspection shall be accomplished by equipment operators and spotters who have been trained through an inspection program approved by the DPH;
- E. Unless otherwise specified by DPH, the Permittee shall conduct at least 3 manual inspections of randomly selected incoming Refuse loads each operating day, for a minimum of 18 inspections per week. In addition, the Permittee shall conduct a series of 6, intensive unannounced manual inspections of Refuse loads over a 12-month period during the life of this grant; and
- F. If on the basis of above-described inspections, the DPH determines that significant amounts of prohibited waste are entering the Facility, the DPH may require an expanded inspection program, which may include additional, unannounced manual inspections.

PART V – INDEMNIFICATION AGREEMENT. Within 180 days after the Effective Date, the Permittee shall enter into an agreement with the County indemnifying the County for any damages to public property and environment which may result from Landfill operations and for any expenses which may be incurred by the County in performing any on- and/or off-site remedial work necessitated by the Permittee's failure to operate or maintain the Facility at a level acceptable to the Director of Public Works or the DPH, or for the Permittee's failure to perform any of this work in a timely manner. The work covered by this indemnification shall include, but not be limited to, work related to the Environmental Protection and Control Systems, litter and dust control, noise control, vector control, and maintenance of slopes. The standards for operation and maintenance shall be as established by the provisions of this grant and all applicable laws and implementing regulations.

To secure performance of the agreement, the Permittee shall tender to the Director of Public Works a trust fund or other security acceptable to the County in the amount of \$10 million. Any interest earned in the account shall remain in the trust fund to offset the cost of inflation. The Permittee may gradually build the trust fund with tipping fees, however, until the fund reaches \$10 million, the Permittee shall tender to the Director of Public Works a letter of credit or other security acceptable to the County in the amount of \$10 million.

The security shall be in addition to any and all other security required by federal, state and local law, regulations and permits, including the security requirements of this grant and of the State landfill closure regulations.

PART VI - BIOLOGICAL/HORTICULTURAL MONITORING. This Part VI is intended to promote compliance with the provisions of Condition Nos. 46 and 57 of this grant concerning on-site planting, revegetation, and maintenance.

- A. Before using this grant, the Permittee shall retain a horticulture/forester consultant to supervise the on- and off-site slope planting and Joshua tree mitigation programs required by this grant and this IMP. The consultant shall be approved by the County Forester.

This consultant shall have the requisite education, training, experience, and professional standing to carry out the specific requirements of the position, as evidenced by appropriate licensing, registration and/or academic standing in the field of horticulture/forestry.

- B. In addition to the horticulture/forester consultant, prior to using this grant, the Permittee shall retain the services of a biology consultant, whose duties shall include: (a) the periodic review of any updated listings of threatened and endangered species contained in the Federal Register for purposes of determining whether species existing at the Facility have been re-classified with a "Category 1" status; and (b) participating in the revegetation program adopted for the Landfill.

This consultant shall have the requisite education, training, experience and professional standing to carry out the specific requirements of the position, as evidenced by appropriate licensing, registration and/or academic standing in the field of biology.

- C. If any retained consultant pursuant to this Part VI terminates employment at any time during the life of this grant, including during the Post Closure Maintenance Period, a replacement consultant shall be retained and approved as provided in this Part.

The Permittee shall create and maintain adequate records to track fill areas in accordance with the California Regional Water Quality Control Board requirements.

These records shall indicate fill areas transferred to an inactive status which are potentially subject to the requirements of Condition Nos. 46 and 57. The Permittee shall make copies of such records available to the horticulture/forester consultant, DPH, the County Forester and other interested regulatory agencies, when a Landfill area becomes inactive.

PART VII – ARCHEOLOGICAL/PALEONTOLOGICAL MONITORING. The Permittee shall implement the monitoring program described in this Part VII to conserve archaeological and paleontological resources as required by Condition No. 75 of this grant.

- A. Before commencing grading activities in previously undisturbed areas, the Permittee shall nominate to the Director of the Department, both a certified archaeologist and a qualified paleontologist from the Society of Professional Archaeologists which the Permittee intends to retain to perform the monitoring and conservation work required by this Part VII and Condition No. 75 of this grant. If approved by the Director of the Department, the archaeologist and paleontologist shall both submit a letter to the Director stating that he/she has been retained to perform or supervise the work described herein, and that he/she agrees to report any failure of compliance with this grant or this Part VII to the Director.
- B. The archaeologist and the paleontologist shall each submit a written report to the Permittee to be included in the Permittee's annual monitoring report required by Part X of this IMP for as long as on-site excavation activity continues at the Facility, or upon the respective expert's termination of employment, in which case the report shall be submitted to the Director of the Department.
- C. If either the archaeologist or paleontologist terminates employment before completion of the excavation work associated with the Facility, a replacement expert shall be selected, approved, retained and certified as described in this Part VII.

PART VIII – ANCILLARY FACILITIES. This Part VIII is intended to enhance compliance with Condition Nos. 5 and 20 of this grant concerning the Ancillary Facilities at the Facility, and to verify that such Ancillary Facilities are consistent with the other conditions of this grant and with the provisions of Title 22 of the Los Angeles County Code ("County Zoning Ordinance").

Before commencing development or obtaining a building permit for any Ancillary Facility, the Permittee shall submit to the Director of the Department a site plan for such Ancillary Facility. The plan shall be in sufficient detail to establish compliance with the conditions of this grant and with the standards of the County Zoning Ordinance, including the provisions relating to the development and maintenance of

parking, screening and signs, as set forth in Chapter 52 of the County Zoning Ordinance.

PART IX – COMMUNITY ADVISORY COMMITTEE. The Community Advisory Committee ("CAC"), appointed by the Board, shall continue to serve as a liaison between the Permittee and the community, and as a conduit for the community to communicate with the Commission and other regulatory agencies on an ongoing basis regarding issues involving the development and operation of the Facility. The CAC shall be composed of persons who reside in the vicinity of the Facility and who are recommended by recognized community and neighborhood associations. The Fifth Supervisorial District shall have the right to designate an ombudsman for the purposes of providing information to local residents regarding landfill operation, obtaining community input and responding to community concerns. The ombudsman shall be a representative of the community or a member of the CAC. The ombudsman shall provide quarterly reports to the Fifth Supervisorial District, with copies to the Department, Director of Public Works, the DPH, and the CAC. The Permittee shall provide the ombudsman reasonable access to the landfill site and information concerning landfill operations as necessary for the ombudsman to perform its functions.

For the life of this grant, the Permittee shall continue to do the following regarding the CAC:

- A. Provide qualified personnel to regularly attend CAC meetings;
- B. Provide the CAC reasonable access to the Facility and information concerning Landfill operations necessary for the CAC to perform its functions;
- C. Provide accommodations for CAC meetings;
- D. Within 90 days after the Effective Date, provide \$20,000 of funding for CAC-related activities and for the CAC to retain independent consultants for CAC-related matters, provided that all consultants shall have the requisite education, training, and experience to undertake the work and shall have no conflict of interest with the Permittee or any member of the CAC. The Permittee shall deposit the fund in an account to be maintained by the Department for the CAC. The Permittee shall replenish the fund by July 1 of each year to bring the balance up to the amount of the initial deposit (\$20,000).

The CAC shall be provided access to all reports submitted by the Permittee to any and all regulatory agencies required under this grant, including the annual monitoring report required by Part X of this IMP. The Permittee shall also consult the CAC on planning matters that could affect the physical development or future use of the Facility.

PART X – MONITORING REPORTS. This Part X is intended to enhance the continuing oversight of Landfill operations and to supplement the routine enforcement activities of the various regulatory agencies having jurisdiction over the development, operation, and maintenance of the Facility.

- A. By January 31 of each year until the Landfill's Closure, the Permittee shall prepare and submit annual monitoring reports to the Commission. At least 60 days prior to that date, draft copies of the report shall be submitted to the following entities for review and comment:
1. DPH;
 2. Director of the Department;
 3. Director of Public Works;
 4. Los Angeles County Forester and Fire Warden;
 5. Regional Water Quality Control Board-Los Angeles Region;
 6. Antelope Valley Air Quality Management District;
 7. County Museum of Natural History; and
 8. Community Advisory Committee;

The draft submittal to the above-referenced entities shall include a request that comments be sent to the Permittee within 30 days of receipt of the draft report, but no later than 15 days prior to the deadline for the final report. The Permittee shall provide documentation to the Director of the Department that the draft reports have been submitted to these entities.

The Permittee shall respond to each comment received by these entities and shall include every comment and response with the final report submitted to the Commission and the Technical Advisory Committee, as described in Part XII of this IMP. A copy of the final report shall be provided to the local county library and posted on the Permittee's website.

Upon receipt of the monitoring report, the Commission may request the Permittee to submit additional information as it deems necessary to carry out the purposes of this IMP.

- B. Each monitoring report shall contain, at a minimum, the following:
1. A cumulative total of all Solid Waste disposed of at the Landfill , the percent of total available capacity used, the remaining

disposal capacity in volume and in tons, and a detailed site map/plan showing the sequence of Landfill operations;

2. A copy (which may be reduced and simplified to fit the report format) of the most recent approved Landfill survey (as required in Part I of this IMP) showing the Limits of the Fill and the height and extent of the current fill;
3. The achieved ratio of weight to volume of Solid Waste disposed of at the Landfill and a comparison of that ratio with the ratio achieved at comparable landfills in the County, with an explanation of any significant deviation;
4. A summary of the rates (quantity per month) of Solid Waste received, disposed of, used for Beneficial Use Materials at the Facility, and/or otherwise diverted and/or sent off-site for further handling/processing, for the period established by the Director of Public Works, or from the last monitoring report, in sufficient detail to explain significant changes and variations of the rates over time;
5. A summary of the measures taken by the Permittee to divert Beneficial Use Materials and Construction and Demolition Debris at the Facility, how the measures compare with waste management plans adopted by the County and various cities, and the overall effectiveness of such measures in achieving the intent of this grant and the County's waste management plans;
6. A summary of the number and character of litter, noise, fugitive dust, and odor complaints received in the reporting period, the disposition of such complaints, and any new or additional measures taken to address or avoid future complaints , as detailed in Condition Nos. 53, 54, 57, and 103;
7. A detailed accounting of any and all citations the Facility received from any regulatory agency for violations in operating the Facility (including violations related to litter, odor, fugitive dust, noise, Landfill gas, or other Environmental Protection and Control Systems), the disposition of the citations, and the penalties assessed and fees paid;
8. A report on all interim and final fill revegetation, including an assessment of the success of such revegetation and any additional measures necessary or proposed to effect successful revegetation;

9. The archaeological and paleontological reports required in Part VII;
 10. A summary of the measures taken by the Permittee to promote and implement alternative technologies most appropriate for the Antelope Valley and Southern California from an environmental and economic perspective, as required by Condition No. 95 and 102 of this grant;
 11. A summary of the measures taken by the Permittee to develop transportation improvements in the surrounding areas of the Facility, as required by Condition No. 61 of this grant;
 12. A summary of the measures taken by the Permittee to minimize truck traffic at the Facility as required by Condition Nos. 32, 58, 59, and 60 of this grant; and
 13. A summary of the measures taken by the Permittee to utilize Landfill gas to generate energy at the Facility as required by Condition No. 49 of this grant.
- C. Nothing in this Part X shall be construed in any way to limit the authority of a Hearing Officer, the Commission, or the Board to initiate any proceeding to revoke or modify this grant as provided in Condition No. 18 of this grant or under Part 13, Chapter 56, of the County Zoning Ordinance.

PART XI – COMPENSATION. The Permittee shall compensate all involved County departments for the expenses incurred in the administration of this grant, including the administration of this IMP and the Mitigation Monitoring and Reporting Summary ("MMRS") in the project's supporting environmental documentation, not otherwise covered by the fees paid for administration of the SWFP for the Facility. Such compensation shall be computed using the actual hours expended multiplied by the most current applicable hourly rates available at the time that the expenses are incurred, as approved by the County Auditor-Controller. The expenses of the DPH shall include its personnel, equipment, and transportation costs.

PART XII – TECHNICAL ADVISORY COMMITTEE ("TAC"). An ad hoc committee of County departments, chaired by the Director of the Department or his/her designee, shall be established for the purpose of reviewing, coordinating, and certifying the satisfactory implementation and/or completion of the plans, permits, and/or agreements required and/or authorized by this grant, including the implementation and/or completion of the Conditions of Approval, this IMP, and the MMRS.

- A. Composition. The TAC shall be composed of representative(s) of the following County departments, and other County departments on an as-needed basis:

1. DPH;
 2. The Department;
 3. The Department of Public Works; and
 4. The Forester and Fire Warden;
- B. Meeting/Purposes. The TAC shall meet at least once a year to ensure the purposes of the conditions of this grant are satisfied and to ensure compliance with the approvals and regulations of State and Federal agencies that regulate and permit the Facility. The TAC's annual meeting shall be conducted to review the annual report submitted by the Permittee as required by Part X of this IMP and to certify that all requirements of the conditions of this grant have been met as reflected in the annual report. The TAC shall review specific requests from the CAC regarding compliance with this grant.
- In addition to any other TAC requirement of this Part XII, the TAC, upon application of the Permittee, shall determine compliance with this grant: 1) within 6 months after the Effective Date; 2) prior to the Permittee's development of the Project (excluding final approval of plans, permits and agreements); and/or 3) prior to the Permittee's commencement of the Closure process. The TAC shall meet for this purpose and if all of the conditions and requirements of this grant have been met for purposes of commencing any of these phases of the project, the TAC shall certify compliance. The TAC may consult with other regulatory agencies in carrying out its duties.
- C. Access to the Facility and Information. The Permittee shall provide access to the TAC and its independent consultant(s) to all areas of the Facility during normal hours of operation and shall respond to all information requests from the TAC in a timely manner as specified by the TAC regarding compliance with the conditions of this grant and the MMRS.
- D. The Permittee may appeal an adverse determination of the TAC to the Director of the Department, whose decision shall be final.